

BEFORE THE TENNESSEE REGULATORY AUTHORITY
NASHVILLE, TENNESSEE

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IN RE: PETITION OF US LEC)
TENNESSEE, INC. FOR DECLARATORY)
ORDER) DOCKET NO. 02-00890
)

US LEC'S FIRST ROUND OF DISCOVERY REQUESTS

US LEC of Tennessee, Inc. ("US LEC") hereby submits the following interrogatories to Airstream Wireless Services, Inc.

Preliminary Matters and Definitions

When not otherwise specified, the term Airstream refers to Airstream Wireless Services, Inc., and/or to any affiliated corporate entity.

With respect to each of the following interrogatories, in addition to supplying the information requested, please identify any and all documents that support, refer to, or evidence the subject matter of each interrogatory in your answers thereto. If any or all of the documents identified herein are no longer in your possession, custody or control because of destruction, loss or other reason, then you are requested to identify each such document fully, including the nature and type of the document, its date, the identify of the person who prepared the document, and the identity of the person or entity for whom it was prepared, and to the extent possible, you are requested to summarize the contents of the document and state the manner and date of the disposition thereof. If any of the requested documents are objected to or not produced on the

basis of privilege, please include in your response to production, for each document, a written statement evidencing:

- a. The nature and type of the document;
- b. The date;
- c. The author of the document;
- d. The recipient;
- e. The sender; and
- f. A brief description of the contents sufficient to allow the TRA to rule on a motion to compel.

Consistent with the preceding definitions and preliminary matters, answer under oath the following:

INTERROGATORIES

1. (a) Identify all carriers for whom Airstream agreed to carry telecommunications traffic between April 11, 2002 and August 1, 2002, and (b) provide copies of any contracts between Airstream and each such carrier.
2. Provide copies of any memoranda, notes, telephone logs, e-mails, letters or written communication of any kind concerning the negotiation of each such contract described in Question 1, including the April 11, 2002, contract between Airstream and US LEC.
3. Provide the originating and terminating telephone numbers of all calls passed from Airstream to US LEC between June 10, 2002 and July 24, 2002.
4. Describe in detail Airstream's telecommunications operations. Include in this explanation a description of the telecommunications products offered by Airstream and a description of how Airstream receives, transmits, and delivers wireless calls.
5. Provide the names and addresses of all of Airstream's customers, including carriers and end users, whose calls were passed from Airstream to US LEC between

June 10, 2002 and July 24, 2002. For each such customer, list the customer's total minutes of use during that period, the total number of calls, the average duration of each call, and the amount billed by Airstream to the customer for each call.

6. What, if any, is Airstream's explanation as to why virtually all of the calls passed by Airstream to US LEC were made to wireless telephones?

7. Identify all persons who participated in responding to these interrogatories.

8. Identify all documents and things consulted in responding to these interrogatories.

9. Identify every person known to you, your attorney or other agent who is believed to have knowledge related in any manner to the Subject Matter and the facts and circumstances at issue herein, or knowledge of facts believed by you to be relevant to the Subject Matter and the facts and circumstances at issue herein, and for each such person, include a brief description of each such person's knowledge, based upon your understanding of such.

10. State with specificity all facts upon which you rely in support of your assertion that your current management did not engage in fraud, dishonesty or gross mismanagement during the relevant time period.

11. Identify all persons or entities that have provided accounting services of any type, including but not limited to auditing of any and all financial records, to Airstream during the relevant time period.

12. Identify each person you intend to call as a witness at any hearing or trial in which the Subject Matter is relevant, and for each such person, provide:

- (a) the matter on which the witness is expected to testify;
- (b) the substance of the facts and opinions to which the witness is expected to testify; and
- (c) a summary of the ground for each opinion held by or relied upon by the witness.

13. For each lawsuit to which you are currently a party, please:

- (a) state the style of the case;
- (b) identify all parties to the lawsuit;
- (c) state where and in which court each such suit is pending; and
- (d) briefly state the substance of the claims involved in each such lawsuit.

14. Provide copies of all written complaints made against Airstream by any customer or carrier since January 2, 2001, up to be the present time. This request includes complaints filed with any state or federal agency.

15. Provide copies of all accounts payable and accounts receivable of Airstream which are related to telecommunications services between June 10, 2002 and July 24, 2002.

Respectfully submitted,
BOULT, CUMMINGS, CONNERS & BERRY, PLC

By: 

Henry Walker
414 Union Street, Suite 1600
P.O. Box 198062
Nashville, Tennessee 37219
(615) 252-2363

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing is being forwarded via U.S. Mail, to Clint Simpson, 165 Madison Avenue, Suite 2000, Memphis, Tennessee, 38103 on this the 17th day of July, 2003.


Henry Walker